

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

DINOSAUR FINANCIAL GROUP, LLC, : X
HILDENE CAPITAL MANAGEMENT, : :
LLC, and SWISS LIFE INVESTMENT : :
MANAGEMENT HOLDING AG on behalf : :
of themselves and all others similarly : :
situated, : :
Plaintiffs, : :
-against- : Case No. 1:22-cv-1860-KPF :
S&P GLOBAL, INC., AMERICAN : :
BANKERS ASSOCIATION, and FACTSET : :
RESEARCH SYSTEMS INC., : :
Defendants. : :
X-----

**STIPULATION AND ORDER REGARDING CLASS DISCOVERY
AND AMENDED SCHEDULE**

WHEREAS, on January 6, 2025, Plaintiffs stated they intend to amend their Class Definition to include certain entities that signed Distribution Agreements. *See* ECF No. 167-1 at 4.

WHEREAS, during the March 3, 2025 conference, the Court ruled that it would permit Plaintiffs to seek to certify their amended class and Defendants raised that, as a result, they would need an opportunity for discovery regarding Plaintiffs' amended class.

WHEREAS, since the March 3, 2025 conference, the Parties have met and conferred through multiple videoconferences and emails to reach agreement on a schedule that would permit Defendants to take discovery on the amended class, while minimizing any delays to the briefing schedule for class certification.

WHEREAS, fact discovery ended on March 14, 2025, pursuant to the Court's Case Management Order. *See* ECF No. 116.

WHEREAS, pursuant to prior agreements between the Parties, certain depositions that were noticed prior to the end of fact discovery but which, for good reason, were unable to occur before March 14, 2025, are now scheduled and will be completed within the next 30 days.

IT IS THEREFORE STIPULATED AND AGREED AMONG THE PARTIES that,

1. The remaining 30(b)(1) deposition(s) previously noticed and agreed between the parties will be completed by **April 11, 2025**.
2. The remaining 30(b)(6) depositions previously noticed will be completed by **April 18, 2025**.
3. **By April 25, 2025**, Plaintiffs will provide Defendants with their amended class definition with the stipulation that the class definition in their motion to certify will either be the same or more restricted but shall not be more expansive. Plaintiffs represent that the class definition will not be a broad catchall placeholder class of every entity which signed a Distribution Agreement but will represent in good faith the class for which they intend to seek certification, subject to any narrowing in light of ongoing discovery.
4. Following receipt of that class definition, Defendants will be permitted a 90-day period, **until July 24, 2025**, to take fact discovery limited to issues arising from that amended class definition (i.e., the class of distributors), that will include but not be limited to obtaining discovery from up to 20 additional absent class members, with the number of absent class members from whom discovery is taken to be reasonably tailored to the class definition provided by Plaintiffs. Plaintiffs agree to meet-and-confer in good faith if, after receiving the amended

class definition on April 25, 2025, Defendants believe discovery is reasonably needed from additional absent class members.

5. Plaintiffs may cross-notice any deposition noticed by the Defendants but shall not otherwise be entitled to serve discovery (e.g., requests for production, interrogatories, requests for admissions) not otherwise allowed by the current Case Management Order. However, should an unexpected issue arise during this additional discovery period about which Plaintiffs wish to take additional limited discovery, narrowly tailored to issues arising from the amended class definition, the Parties will meet and confer in good faith on Plaintiffs' requested discovery.

6. The schedule set forth in the Case Management Order, ECF No. 116, shall further be amended as follows:

- a. Plaintiffs' motion for class certification and supporting expert reports are due **August 14, 2025**;
- b. Defendants' deadline to depose Plaintiffs' class certification experts is **September 24, 2025**;
- c. Defendants' opposition to class certification, including any motions to exclude expert testimony, relating to class certification and supporting expert reports are due **November 12, 2025**;
- d. Plaintiffs' deadline to depose Defendants' class certification experts is **December 23, 2025**;
- e. Plaintiffs' reply in support of class certification, including any motions to exclude expert testimony relating to class certification is due **January 12, 2026**.

SO STIPULATED:

Dated: March 20, 2025.

/s/ Ronald J. Aranoff

Ronald J. Aranoff
Ryan A. Kane
Joshua M. Slocum
Lyndon M. Tretter
WOLLMUTH MAHER & DEUTSCH LLP
500 Fifth Avenue, 12th Floor
New York, New York 10110
Telephone: (212) 382-3300
raranoff@wmd-law.com
rkane@wmd-law.com
jslocum@wmd-law.com
ltretter@wmd-law.com

/s/ Leiv Blad

Leiv Blad
Jeffrey Blumenfeld pro hac vice
Meg Slachetka
COMPETITION LAW PARTNERS PLLC
601 Pennsylvania Avenue NW
Washington, DC 20004
Telephone: (202) 742-4300
Email: leiv@competitionlawpartners.com
jeff@competitionlawpartners.com
meg@competitionlawpartners.com

/s/ Robert N. Kaplan

Robert N. Kaplan
Gregory K. Arenson
Elana Katcher
KAPLAN FOX & KILSHEIMER LLP
800 Third Ave., 38th Floor
New York, NY 10022
Telephone: (212) 687-1980
Email: rkaplan@kaplanfox.com
garenson@kaplanfox.com
ekatcher@kaplanfox.com

Attorneys for Plaintiffs Dinosaur Financial Group, LLC, Hildene Capital Management, LLC, and Swiss Life Investment Management Holding AG, on behalf of themselves and all others similarly situated

/s/ Eric J. Stock

Eric J. Stock
Esther Lifshitz
GIBSON, DUNN & CRUTCHER LLP
200 Park Avenue
New York, NY 10166
Tel.: (212) 351-2301
Fax: (212) 716-0801
estock@gibsondunn.com
asouthwell@gibsondunn.com
elifshitz@gibsondunn.com

Attorneys for Defendant S&P Global Inc.

/s/ Jeffrey I. Shinder

Jeffrey I. Shinder
Ellison A. Snider (Pro Hac Vice)
14 Penn Plaza, 19th Floor
New York, NY 10122
Telephone: (646) 960-8601
jeff@scl-llp.com
esnider@scl-llp.com

W. Stephen Cannon
Seth D. Greenstein
CONSTANTINE CANNON LLP
1001 Pennsylvania Ave., NW 1300 N
Washington, D.C. 20004
Tel.: (202) 204-3500
Fax: (202) 204-3501
scannon@constantinecannon.com
sgreenstein@constantinecannon.com

Attorneys for Defendant FactSet Research Systems, Inc.

/s/ David C. Kiernan

David C. Kiernan (*pro hac vice*)
Craig E. Stewart (*pro hac vice*)
Caroline M. Mitchell (*pro hac vice*)
Paul C. Hines (*pro hac vice*)
JONES DAY
555 California St., 26th Fl.
San Francisco, CA 94104

Tel.: (415) 626-3939
Fax: (415) 875-5700
dkiernan@jonesday.com
cestewart@jonesday.com

Michelle K. Fischer (*pro hac vice*)
901 Lakeside Avenue
Cleveland, OH 44114
Tel.: (216) 586-3939
Fax: (216) 579-0212
mfischer@jonesday.com

Alexander V. Maugeri
Amanda L. Dollinger
250 Vesey Street
New York, NY 10281
Tel.: (212) 326-3939
Fax: (212) 755-7306
amaugeri@jonesday.com
adollinger@jonesday.com

*Attorneys for Defendant American
Bankers Association*

SO ORDERED.

Dated: March 21, 2025
New York, New York



Hon. Katherine Polk Failla
United States District Judge